

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Shauna Hurles, et al.,

Case No. 3:23 CV 1986

Plaintiffs,
-vs-

CASE MANAGEMENT
CONFERENCE ORDER

Tiffin University,

JUDGE JACK ZOUHARY

Defendant.

Case Management Conference (CMC) held by video on March 18, 2024.

1. Counsel present: Christopher Liebold and Tod Thompson for Plaintiffs; Rachel Hazelet and Steven Seasly for Defendant.
2. Counsel have exchanged Federal Civil Rule 26(a) disclosures.
3. After consultation with counsel, this case will proceed on the Standard Track with trial in **APRIL 2025.**
4. This case is not suitable for a Settlement/Mediation Conference at this time. Counsel will discuss after the completion of key discovery.
5. Case does involve minimal electronic discovery (e.g. emails and payroll records).
6. Anticipated discovery issues:

Plaintiff's position:

- Plaintiff has provided Defendant with proposed comparators that will be used to narrow the scope of Defendant's document production. Plaintiff recognizes that there may be privilege or FERPA issues that may have to be addressed and the parties are negotiating which programs may be excluded from discovery.

Defendant's position:

- Several of Plaintiffs' document requests implicate the Family Educational Rights and Privacy Acts ("FERPA") because they seek educational records and/or student information. An appropriate court order may be necessary for Defendant to produce such documents.
- The Parties continue to negotiate over the scope of records that are relevant and discoverable for purposes of Plaintiffs' claims under the Equal Pay Act of 1963 (Count II) and R.C. 4111.17 (Count III). Plaintiffs have provided Defendant an initial identification of "comparator" programs with which Plaintiffs seek to compare themselves to establish claims under these statutes. At this time, Defendant anticipates that the parties will reach an agreement without the Court's assistance.

7. Deadline for amending pleadings/adding parties: **June 10, 2024**
8. Counsel are reminded to follow the amended Civil Rules regarding proportional discovery and civility. Counsel will stage depositions pursuant to 2015 Civil Rules amendments. *See Civil Case Management Procedures (Doc. 3 at ¶ 3).*
9. Discovery deadlines:

- Expert disclosures: **September 15, 2024**
- Expert reports: **October 15, 2024**
- Liability and Damages: **November 15, 2024**

NOTE: Expert depositions require prior Court approval.

10. Without leave of Court, no discovery material shall be filed, except as necessary to support dispositive motions. Depositions filed either electronically or through the Clerk's Office shall include the Word Index.
11. Dispositive motions are not appropriate in every case. No dispositive motions shall be filed until counsel have met and conferred about the merits of such a motion; and only after sufficient discovery has been completed that allows counsel for the moving party to represent the belief there are no disputed issues of material fact. Timing for filing a motion is the

responsibility of counsel and should not conflict with this case schedule and trial date. *See Civil Case Management Procedures (Doc. 3 at ¶ 3).*

12. Parties shall provide this Court with an ECF stamped courtesy hard copy of all motion briefing with supporting materials (double-sided encouraged). Briefing shall be doubled-spaced (except for block quotes) in a font not less than 12 points in size, including footnotes, with margins of not less than one inch. *See Local Civil Rule 7.1(f) for page limits.* Footnotes are discouraged.

NOTE: Failure to follow will result in Clerk striking the briefing.

13. Counsel shall describe in the case caption whether a motion is “opposed” or “unopposed” -- which means counsel MUST confer with opposing counsel BEFORE filing any motion -- procedural or substantive.
14. Counsel shall file a brief Joint Status Report on or before **June 14, 2024** indicating discovery completed, discovery yet to be completed, and any discovery disputes that need to be addressed by this Court.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

March 20, 2024